

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SHAWN DALE NANEZ,

Plaintiff,

v.

PENELOPE SAPP, *et al.*,

Defendants.

CASE NO. 3:24-cv-05293-RSL-GJL

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Grady J. Leupold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' Motion to Dismiss (Dkt. 22) is granted as to Plaintiff's official capacity § 1983 claims and denied as to his individual capacity § 1983 claims.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for Defendants, and to the Hon. Grady J. Leupold.

Dated this 17th day of September, 2024.



Robert S. Lasnik  
United States District Judge